

## UNITED STATES DISTRICT COURT

for the

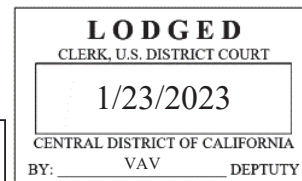
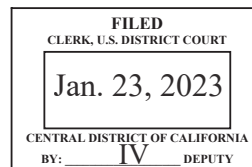
Central District of California

United States of America

v.

RODOLFO CHAVEZ,

Defendant



Case No. 2:23-mj-00264-DUTY

**CRIMINAL COMPLAINT BY TELEPHONE  
OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 20, 2023, in the county of Los Angeles in the Central District of California, the defendant(s) violated:

*Code Section*

18 U.S.C. § 111(a)(1)

*Offense Description*

Assault on a Federal Employee

This criminal complaint is based on these facts:

*Please see attached affidavit.*

☒ Continued on the attached sheet.

/s/

Complainant's signature

Tony T. Yu, Postal Inspector

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: January 23, 2023

Patricia Donahue

Judge's signature

City and state: Los Angeles, California

Hon. Patricia Donahue, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT**

I, TONY T. YU, being duly sworn, declare and state as follows:

**PURPOSE OF AFFIDAVIT**

1. This affidavit is made in support of a criminal complaint and arrest warrant against CHAVEZ, RODOLFO for a violation of 18 U.S.C. § 111(a)(1) (Assault on a Federal Employee).

2. The facts set forth in this affidavit are based upon my personal observations; my training and experience; and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and arrest warrant and does not purport to set forth all of my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and part only.

**BACKGROUND OF POSTAL INSPECTOR TONY T. YU**

3. I am a Postal Inspector with the United States Postal Inspection Service ("USPIS"). I was employed as a Postal Inspector from September 2012 through August 2014 and again since September 2022. I am currently assigned to the Los Angeles Division of USPIS, specifically, to the Los Angeles Threats and Assaults team, which is responsible for investigating credible threats against, and assaults of, United States Postal Service("USPS") employees. From September 2014

through August 2022, I was employed as a Special Agent by the USPS Office of Inspector General ("USPS-OIG") investigating internal crimes of the USPS. From June 2008 through May 2012, I was a California Peace Officer employed by California Medical Board investigating criminal and administrative violations perpetrated by physicians.

**SUMMARY OF PROBABLE CAUSE**

4. On January 20, 2023, a USPS Supervisor from the Los Feliz Post Office reported to USPIIS an incident of physical assault of a mail carrier. Mail Carrier Francisco Santos, while delivering mail on his route was assaulted at 4150 Marathon Ave., Los Angeles, CA 90029. Santos suffered serious injuries to his head, face, hands, wrist, and ribs.

5. On January 20, 2023, at approximately 5:40 p.m., Los Angeles Police Department ("LAPD") received a call of battery in progress at Marathon St. and Vermont Ave. Officers responded to the location and observed possible suspect later identified as Rodolfo Chavez standing in front of the driveway of 4150 Marathon St., Los Angeles, CA 90029 with dried blood on his fists. Officers tried to detain Chavez for a battery investigation, Chavez resisted Officers' commands, took a fighting stance, and attempted to flee. Officers used physical force to subdue and arrest Chavez under California Penal Code 243(D) - Battery with serious bodily injuries.

**STATEMENT OF PROBABLE CAUSE**

6. Based on my review of law enforcement reports, conversations with other law enforcement agents, and my own knowledge of the investigation, I am aware of the following:

7. According to my interview with USPS Supervisor Maria Jovel, on January 20, 2023, at approximately 6 p.m. Santos was assaulted while delivering mail at 4150 Marathon St., Los Angeles, CA 90029. Mail Carrier David Castanera drove past Santos and LAPD Officers. Castanera stopped to assist and found out Santos has been assaulted. Castanera called USPS Supervisor Anthony Rodriguez and notified him of the assault. Rodriguez subsequently notified Jovel.

8. According to my interview with Santos, on January 20, 2023, he was delivering mail to 4150 Marathon St., Los Angeles, CA 90029 when he was assaulted by a Hispanic male at the entrance area of the apartment complex. After the attack Santos went across the street and watched his assailant stood in front of the apartment building. While Santos was on the other side of the street, LAPD officers arrived on scene. Santos watched his assailant scream at the officers and got into a scuffle with them before he was arrested.

9. According to LAPD report, on January 20, 2023, at approximately 5:40 p.m., Officers responded to a radio call of battery in progress at Marathon St. and Vermont Ave. The comments of the call stated, "suspect male Hispanic assaulting male Asian, postal worker, victim on ground. Suspect male Hispanic, 20-30 years old, short black hair, dark shirt, poss

wearing jeans, suspect was kicking victim in head, no weapons seen." Upon arrival, Officers were directed by nearby citizens of the possible suspect's location, in front of 4150 Marathon St. Officers observed the possible suspect later identified as Rodolfo Chavez standing in front of the driveway of the apartment complex with dried blood from his fist. Officers immediately attempted to detain Chavez for a battery investigation. While attempting to detain Chavez, Chavez refused to comply and took a fighting stance toward the Officers. As Officers continued to give verbal commands, Chavez refused to comply and attempted to walk past the Officers and flee the location. Officers used physical force to subdue Chavez and placed him under arrest. Officers interviewed Santos. Santos stated on January 20, 2023, at approximately 5:45 p.m., he was delivering mail to 4150 Marathon St. As he was entering the apartment complex, Chavez followed behind him as the doors were closing. Santos asked Chavez if he lived at the location and to enter the keycode to confirm he lives there. Chavez became agitated and punched Santos in the face, causing Santos to fall to the ground. Chavez mounted Santos and continued to punch him in the face numerous times. Officer identified and spoke with a witness Israel Dimar Flores who stated on January 20, 2023, he was driving on Marathon St. and Vermont Ave., he observed Chavez punching Santos causing Santos to fall to the ground. While Santos was on the ground, Chavez continued to punch Santos numerous times. Santos sustained two lacerations to his forehead area where stitches are needed, loss

of a tooth, complaint of pain to his left shoulder area and left wrist area. Santos was transported to Glendale Memorial Hospital. Officers' body worn cameras were activated during this incident and stored. This investigation was captured on body worn cameras. Officers recovered use of force surveillance footage from the building manager at 4150 Marathon St.

**CONCLUSION**

10. For all of the reasons described above, there is probable cause to believe that Rodolfo Chavez has committed a violation of 18 U.S.C. § 111(a)(1) (Assault on a Federal Employee).

Attested to by the applicant in  
accordance with the requirements  
of Fed. R. Crim. P. 4.1 by  
telephone on this 23rd day of  
January, 2023.

*Patricia Donahue*

---

HONORABLE PATRICIA DONAHUE  
UNITED STATES MAGISTRATE JUDGE